

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DUAL MODE CONTROL FOR A TOROIDAL DRIVE TYPE CONTINUOUSLY VARIABLE TRANSMISSION,

the specification of which is attached hereto unless the following box is checked:

[X] was filed on September 20, 2000 as U.S. Application Number or PCT International Application Number 09/666,745 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes	_____ No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ Yes	_____ No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

60/154,876	9/20/99
(Application No.)	(Filing Date)

_____ (Application No.)	_____ (Filing Date)
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I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

_____ (Application No.)	_____ (Filing Date)	_____ (status - patented, pending, abandoned)
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_____ (Application No.)	_____ (Filing Date)	_____ (status - patented, pending, abandoned)
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I hereby appoint the attorney(s) and/or agent(s) associated with the following Customer Number to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith with full power of substitution and revocation:



04859

PATENT TRADEMARK OFFICE

Address all telephone calls to Richard S. MacMillan at (419) 255-5900.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Gordon M. McIndoe

Inventor's signature

Date: 12/07/00

Residence: 491 Pauly Drive, Perrysburg, Ohio 43551

Citizenship: U.S.A.

Post Office Address: Same

Full name of second inventor: Charles B. Lohr

Inventor's signature

Date: 12/7/00

Residence: 909 Askin Street, Maumee, Ohio 43537

Citizenship: U.S.A.

Post Office Address: Same

Full name of third inventor: John M. Loeffler

Inventor's signature

Date: 12/7/00

Residence: 6453 South Berkey-Southern Road, Swanton, Ohio 43558 43571 JL.

Citizenship: _____

Post Office Address: _____

Full name of fourth inventor: _____

Inventor's signature _____

Date: _____

Residence: _____

Citizenship: _____

Post Office Address: _____